

**IN THE SUPERIOR COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH**

SCOTT CHAFFIN,

Plaintiff,

vs.

APPLE, INC.,

Defendants

Case No. 18CV57505

SUMMONS

TO: C T Corporation System, 780 Commercial St SE, Suite 100, Salem, Oregon 97301.

IN THE NAME OF THE STATE OF OREGON: You are hereby required to appear and defend the complaint filed against you in the above-entitled cause within 30 days from the date of service of this summons on you. If you fail to appear and defend, the plaintiff will apply to the court for the relief demanded in the complaint.

NOTICE TO DEFENDANT:

READ THESE PAPERS CAREFULLY

You must "appear" in this case or the other side will win automatically. To appear you must file with the court a legal paper called a motion or answer. The motion or answer must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the plaintiff's lawyer or, if the plaintiff does not have a lawyer, proof of service on the plaintiff.

If you have any questions, you should see a lawyer immediately. If you need help in finding a lawyer, you may call the Oregon State Bar's Lawyer Referral Service at 503-684-3763 or toll-free in Oregon at 800-452-7636.

DATED: December 20, 2018.


William J. Macke, OSB #091793
Of Attorneys for Plaintiff

SUMMONS - 1

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18CV57505

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10 **IN THE CIRCUIT COURT FOR THE STATE OF OREGON**
11 **FOR THE COUNTY OF MULTNOMAH**

12 **SCOTT CHAFFIN,**

13 **Plaintiff,**

14 **vs.**

15 **APPLE, INC.,**

16 **Defendant.**

CASE NO.:

COMPLAINT
(Employment Discrimination)

Filing Fee: \$560
(ORS 21.160(1)(c))

DEMAND: \$150,000

NOT SUBJECT TO MANDATORY
ARBITRATION
JURY DEMAND

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20 **PLAINTIFF, Scott Chaffin, brings this complaint against DEFENDANT, Apple, Inc., by and**
21 **through his attorney, William J. Macke & Associates, 4411 NE Tillamook St. Portland, OR**
22 **97213.**

23 **GENERAL STATEMENT OF FACTS**

24 **1.**

25 **Defendant hired plaintiff as a specialist in Oregon on or about July 1, 2011.**

COMPLAINT - I

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2.

Plaintiff suffers from a disabling condition and made multiple requests for accommodations.

3.

Plaintiff took protected medical leave from February 26, 2017 to June 13, 2017.

4.

Shortly after returning from leave, on or about July 7, 2017, Defendant accused Plaintiff of trivial and unfounded performance deficiencies and terminated Plaintiff's employment, whereupon Plaintiff filed a charge with the Bureau of Labor and Industries, which concluded with a notice of right to sue dated September 19, 2018.

FIRST CLAIM FOR RELIEF – OFLA DISCRIMINATION

(ORS 659A.171 & 183)

5.

Defendant violated the provisions of ORS 659A.171&183 as set forth above, by retaliating against Plaintiff for using protected family medical leave.

6.

As a result of Defendant's unlawful conduct, Plaintiff suffered economic damages alleged at \$10,000 in the form of lost wages, benefits and cost of medical treatment.

7.

As a result of Defendant's unlawful conduct, Plaintiff suffered non-economic damages in the form of emotional distress, including depression, loss of sleep, loss of appetite and feelings of hopelessness alleged at \$140,000.

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COMPLAINT - 2

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SECOND CLAIM FOR RELIEF – EMPLOYMENT DISCRIMINATION

(ORS 659A.112)

8.

Defendant violated the provisions of ORS 659A.112 by terminating Plaintiff's employment because of Plaintiff's disability.

11.

As a result of Defendant's unlawful conduct, Plaintiff suffered economic damages alleged at \$10,000 in the form of lost wages, benefits and cost of medical treatment.

12.

As a result of Defendant's unlawful conduct, Plaintiff suffered non-economic damages in the form of emotional distress alleged at \$140,000.

THIRD CLAIM FOR RELIEF – REASONABLE ACCOMODATION

(ORS 659A.118)

13.

Defendant violated the provisions of ORS 659A.118 by refusing to Plaintiff's requests for a reasonable accommodation including but not limited to failing to give fair consideration to Plaintiff's applications to transfer to a different store.

14.

As a result of Defendant's unlawful conduct, Plaintiff suffered economic damages alleged at \$10,000 in the form of lost wages, benefits and cost of medical treatment.

15.

As a result of Defendant's unlawful conduct, Plaintiff suffered non-economic damages in the form of emotional distress alleged at \$140,000.

COMPLAINT - 3

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WHEREFORE plaintiff prays as follows:

- 1) For the relief requested above;
- 2) For reasonable costs and attorney fees as provided in ORS 659A.885;
- 3) And for whatever other relief the court deems just and equitable.

Dated: December 19, 18

/s/ William J. Macke

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Of Attorneys for Plaintiff
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COMPLAINT - 4

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